

Senator Hutchison
Statement
Commerce Committee Hearing on Pipeline Safety
May 11, 2000

Thank you, Mr. Chairman. And thank you for your prompt action in holding this hearing.

Improving pipeline safety is one of the most important things that Congress can accomplish this year. In my home state of Texas, and throughout the nation, pipelines are a necessary fact of life. Gas pipelines deliver 90 percent of the nation's natural gas to private homes. Oil pipelines distribute 64 percent of the oil transported in the United States. Without pipelines, oil and gas would have to travel by truck and train, thereby clogging America's highways and reducing our freight capacity. These methods of delivery would not improve public safety.

By and large, pipeline companies do the job safely and conscientiously. But "by and large" is not good enough. According to the U.S. Department of Transportation, 21 people lost their lives in pipeline accidents in 1999. I do not want to hear that these tragedies fall within some sort of "acceptable margin of error." I do not want to hear that 21 deaths are "minor" compared to other forms of transportation. The goal is zero fatalities. I hope we can, at least, agree on that.

In order to achieve that goal, Congress should act quickly to reauthorize the Pipeline Safety Act. Public safety is not served by allowing the issue to linger. I applaud the efforts of Chairman McCain to improve the Administration's proposal and to give the issue of pipeline safety the attention

deserves.

While engaged in this process, we must take care not to legislate the impossible. For example, the Administration bill contains a requirement that pipelines must utilize “the best achievable technology” in preventing accidents. Well, that sounds good, but what does it mean? “Best achievable technology” is an undefined standard that would present a constantly moving target for any company trying to obey the law. No company could ever be confident that they were in compliance. “Best achievable technology” is a standard that would benefit trial lawyers over public safety.

I hope we can resist the urge to legislate in this fashion. Today’s hearing should go a long way toward rejecting knee-jerk reactionism and getting to the real issues surrounding pipeline safety. The federal program should be improved. New training and testing requirements should be implemented. Serious safety violations will be punished. However, these actions must take place after thoughtful debate and careful deliberation.

I am pleased that Chairman McCain’s bill takes a bipartisan approach to solving these problems. I support his efforts to strengthen federal oversight and the community’s right to know about pipeline activities. It is an excellent place to start. I hope the Committee can act expeditiously to approve a bipartisan pipeline safety bill, and send a finished product to the President that will protect public safety while maintaining a vital industry.